



Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

December 30, 2009

No.: 09-57064
D.C. No.: 2:08-cv-05403-GW-PLA
Short Title: NRDC, et al v. South Coast Air Quality Manage, et al

Dear Appellants/Counsel

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

The due dates for designating and filing the reporter's transcript, if applicable, filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.

The following information is being provided in an attempt to answer the most frequently asked questions regarding the appellate process. Please review this information very carefully. For convenience, we use the term "Circuit Rules" instead of "Rules of the United States Court of Appeals for the Ninth Circuit" and "FRAP" instead of "Federal Rules of Appellate Procedure".

Enclosed with this letter is an appellate processing schedule along with a case processing checklist to help you monitor the progress of your case.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

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MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NATURAL RESOURCES DEFENSE
COUNCIL, INC., a non-profit
corporation; COMMUNITIES FOR A
BETTER ENVIRONMENT, a California
non-profit corporation; COALITION
FOR A SAFE ENVIRONMENT, a
California non-profit corporation;
DESERT CITIZENS AGAINST
POLLUTION, a California non-profit
corporation,

Plaintiffs - Appellants,

v.

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT;
GOVERNING BOARD OF THE
SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT; BARRY
WALLERSTEIN, Executive Officer,

Defendants - Appellees

and

SOUTHERN CALIFORNIA EDISON
CO.; WALNUT CREEK ENERGY LLC;
LOS ANGELES AREA CHAMBER OF

No. 09-57064

D.C. No. 2:08-cv-05403-GW-PLA
U.S. District Court for Central
California, Los Angeles

TIME SCHEDULE ORDER

COMMERCE; LOS ANGELES
COUNTY BUSINESS FEDERATION;
EL SEGUNDO POWER LLC; CPV
SENTINEL LLC; COUNTY
SANITATION DISTRICT NO. 2 OF
LOS ANGELES COUNTY; ORANGE
COUNTY SANITATION DISTRICT,

Intervenors.

The parties shall meet the following time schedule:

- | | |
|------------------------------|---|
| Wed., January 6, 2010 | Mediation Questionnaire due. If your registration for Appellate ECF is confirmed after this date, the Mediation Questionnaire is due within one day of receiving the email from PACER confirming your registration. |
| Tue., June 8, 2010 | Appellants' opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1. |
| Thu., July 8, 2010 | Appellee's answering brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1. |

The optional appellants' reply brief shall be filed and served within fourteen days of service of the appellee's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellants to comply with the Time Schedule Order will result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Jennifer Nidorf
Deputy Clerk